

SENATE FILE NO. SF0041

Wyoming territorial prison state park management.

Sponsored by: Joint Travel, Recreation, Wildlife and  
Cultural Resources Interim Committee

A BILL

for

1 AN ACT relating to the Wyoming territorial prison state  
2 park and historic site; providing for management of the  
3 park and site by the department of state parks and cultural  
4 resources; making conforming amendments; providing an  
5 appropriation; and providing for an effective date.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

8

9 **Section 1.** W.S. 36-8-1001(d)(intro), (i), (ii), (viii)  
10 and (f) and 36-8-1002(b)(intro), (i), (c) and (d) are  
11 amended to read:

12

13 **36-8-1001. Description and declaration; plan for park**  
14 **development and operation; plan for development of prison**  
15 **buildings as state historic site.**

16

1           (d) The ~~economic development and stabilization board~~  
2 department of state parks and cultural resources shall  
3 prepare a ~~business~~ plan for the ~~development and~~ operation  
4 of the Wyoming territorial prison historic site and state  
5 park ~~which shall provide for private operation under~~  
6 ~~contract with the state with the authority to implement the~~  
7 ~~business plan~~ by the department as part of the department's  
8 comprehensive plan under W.S. 36-4-106. The plan shall be  
9 presented to the ~~legislature~~ joint travel, recreation,  
10 wildlife and cultural resources interim committee not later  
11 than ~~the second Tuesday in January, 1987~~ September 1, 2004.  
12 In developing the plan, the ~~board~~ department shall:

13  
14           (i) Exclude from the state park the historic  
15 prison buildings situated on the lands described under  
16 subsection (a) of this section including the prison  
17 building, the warden's residence, broom factory, adjacent  
18 buildings and the grounds immediately surrounding the  
19 buildings not to exceed seven (7) acres of land, to be  
20 administered by the ~~state archives, museums and historical~~  
21 department as a state historical site ~~pursuant to~~  
22 subsection (e) of this section in a manner compatible with  
23 the National Historic Preservation Act;

24

1           (ii) Establish the boundary between the state  
2 park and the historical site to insure the integrity of the  
3 historic structures for public enjoyment; ~~and to insure~~  
4 ~~sufficient access to usable land for the development of~~  
5 ~~private business within the state park;~~

6  
7           (viii) Cooperate with the Wyoming ~~travel parks~~  
8 and cultural resources commission in development of the  
9 park for maximum beneficial use by citizens and tourists.

10

11           (f) The department of ~~commerce~~ state parks and  
12 cultural resources is authorized to enter into leasehold or  
13 concession agreements in accordance with the ~~business~~ plan  
14 provided by subsection (d) of this section.

15

16           **36-8-1002. Transfer of lands; park administration;**  
17 **site administration; lease and contract agreements.**

18

19           (b) The ~~Wyoming recreation commission~~ department of  
20 state parks and cultural resources shall administer,  
21 operate and maintain the state park, excluding lands and  
22 buildings comprising the historic site as specified under  
23 W.S. 36-8-1001(e), as follows:

24

1 (i) Park development, operation and management  
2 shall be in accordance with the ~~business~~ plan specified  
3 under W.S. 36-8-1001(d) ~~and~~ ~~The commission shall~~  
4 department may, under lease agreement or contract  
5 management arrangement with a local public or private  
6 nonprofit entity, provide for special events at the park  
7 ~~development, operations and~~ in accordance with W.S.  
8 36-4-121(o) or management. ~~Upon execution of the agreement~~  
9 ~~or arrangement, the local public or private nonprofit~~  
10 ~~entity shall serve as the single management group for the~~  
11 park of specified areas of the park by the public or  
12 private entity;  
13

14 (c) The ~~state archives, museums and historical~~  
15 department shall in accordance with standards of the  
16 National Historic Preservation Act, 16 U.S.C. 470, and the  
17 ~~business~~ plan specified under W.S. 36-8-1001(d),  
18 administer, operate and maintain the historic site  
19 comprised of lands and buildings specified under W.S.  
20 ~~36-8-1001(e)~~ 36-8-1001(d) (i). ~~As authorized under W.S.~~  
21 ~~36-8-1001(f), the department shall enter into a lease~~  
22 ~~agreement or contract management arrangement with the local~~  
23 ~~public or private nonprofit entity serving as the single~~  
24 ~~management group pursuant to paragraph (b) (i) of this~~

1 ~~section for on-site administration of site development,~~  
2 ~~maintenance and operation in accordance with conditions~~  
3 ~~imposed under this subsection.~~

4  
5 (d) Notwithstanding any other provision of law, the  
6 ~~terms of any agreement or arrangement entered into under~~  
7 ~~subsections (b) and (c) of this section and W.S.~~  
8 ~~36-8-1001(f) may authorize the local public or private~~  
9 ~~nonprofit entity serving as the single management group to~~  
10 department may impose an admissions fee in excess of fees

11 charged for admissions to other state parks and sites, to  
12 fund necessary expenses incurred for park and site  
13 development, operations and maintenance. ~~conducted pursuant~~

14 ~~to any lawful agreement or arrangement. Any authorization~~  
15 ~~under this subsection shall require an accounting of fee~~  
16 ~~revenues to the commission or department, whichever is~~  
17 ~~appropriate. Unexpended or unencumbered revenues remaining~~

18 ~~at the end of any fiscal accounting period shall be~~  
19 ~~maintained by the single management group in an operating~~  
20 ~~fund for expenditure in subsequent fiscal accounting~~  
21 ~~periods for purposes authorized under this subsection~~

22 Notwithstanding W.S. 36-4-121(h) daily admission fees  
23 collected pursuant to this subsection shall be deposited  
24 into a separate account within the earmarked revenue fund

1 and may be expended by the department upon legislative  
2 appropriation.

3

4 **Section 2.** W.S. 12-4-506, 36-8-1001(d)(iii) through  
5 (vii) and (e) and 36-8-1002(b)(ii) are repealed.

6

7 **Section 3.** It is the intent of this act to transfer  
8 management of the Wyoming territorial state prison park and  
9 historic site from the single management group to the  
10 department of state parks and cultural resources, and for  
11 complete transfer of management to be accomplished no later  
12 than April 30, 2005. The department, with the advice and  
13 approval of the attorney general, is authorized to  
14 negotiate for and terminate any and all leases or contracts  
15 currently in existence pertaining to the management of all  
16 or any portion of the state park and historic site by any  
17 entity other than the department and to take such further  
18 actions as necessary to effectuate the intent of this act.  
19 Until such time as current leases or contracts are  
20 terminated and complete management of the park and site is  
21 vested in the department under this act, the park and site  
22 may be operated by the department or a single management  
23 group as authorized under W.S. 36-8-1001 and 36-8-1002  
24 prior to the amendment of those provisions under this act,

1 as mutually agreed by the department and the management  
2 group. Any funds accruing to the state as a result of the  
3 termination of any contract or lease pursuant to this act  
4 shall be remitted to the state treasurer for deposit into  
5 an account within the earmarked revenue fund. The  
6 department shall include an accounting of all funds and  
7 liabilities accruing to the state as a result of this act  
8 in the report required by W.S. 36-8-1001(d).

9

10 **Section 4.** There is appropriated to the department of  
11 state parks and cultural resources one million six hundred  
12 thousand dollars (\$1,600,000.00) from the budget reserve  
13 account to be used for purposes of this act.

14

15 **Section 5.** This act is effective immediately upon  
16 completion of all acts necessary for a bill to become law  
17 as provided by Article 4, Section 8 of the Wyoming  
18 Constitution.

19

20

(END)